

SENATE BILL 74

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(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)**

Requested: October 15, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Comprehensive Master Plans**

3 FOR the purpose of requiring a local board of education to submit certain updates to
4 the board's comprehensive master plan on or before certain dates; altering
5 certain dates by which a local board is required to submit a certain plan and
6 certain updates to the plan; altering the time frame for submitting copies of
7 certain plans or updates to certain persons; authorizing a local board to submit
8 a preexisting management plan to satisfy certain requirements; requiring the
9 State Superintendent of Education to approve the plan as the county board's
10 plan if certain requirements are met; and generally relating to comprehensive
11 master plans and updates to master plans submitted by local boards of
12 education.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 5–401
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2009 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Education**

21 5–401.

22 (a) (1) In this section the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) “Local performance standards” means standards for student and
2 school performance developed by a county board.

3 (3) “Plan” means a comprehensive master plan.

4 (4) “State performance standards” means standards for student and
5 school performance approved by the State Board.

6 (5) “Update” means an annual update to a county board’s
7 comprehensive master plan.

8 (b) (1) Each county board shall develop and implement a comprehensive
9 master plan that describes the goals, objectives, and strategies that will be used to
10 improve student achievement and meet State performance standards and local
11 performance standards in each segment of the student population.

12 (2) (i) Each county board shall submit a plan to the Department on
13 or before October 1, 2003.

14 (ii) Each county board shall submit an update to the plan
15 required under paragraph (2)(i) of this subsection for review and approval by the
16 State Superintendent of Schools on or before:

- 17 1. October 15, 2008; [and]
- 18 2. October 15, 2009;
- 19 3. **OCTOBER 15, 2010; AND**
- 20 4. **OCTOBER 15, 2011.**

21 (3) (i) On or before October 15, [2010] **2012**, each county board
22 shall submit a plan to the Department.

23 (ii) Beginning in [2011] **2013**, each county board shall submit
24 an annual update for review and approval by the State Superintendent of Schools on
25 or before October 15 of each year.

26 (4) (i) Subject to subsection (i) of this section, the plan and updates
27 required under paragraph (3) of this subsection shall cover a 5-year period.

28 (ii) At least [60] **30** days before submitting a plan or update to
29 the Department, a county board shall provide a copy of the **PROPOSED** plan or
30 update, **WITH A COPY OF THE FINAL PLAN OR UPDATE TO FOLLOW**, to the:

- 31 1. County council and if applicable, county executive; or

- 1 (4) Kindergarten students;
- 2 (5) Gifted and talented students, as defined in § 8–201 of this article;
- 3 (6) Students enrolled in career and technology courses;
- 4 (7) Students failing to meet, or failing to make progress toward
5 meeting, State performance standards, including any segment of the student
6 population that is, on average, performing at a lower achievement level than the
7 student population as a whole; and
- 8 (8) Any other segment of the student population identified by the
9 State Superintendent.

10 (e) With regard to subsection (d)(7) of this section, the plan or update shall
11 include strategies to address any disparities in achievement identified for any segment
12 of the student population.

13 (f) (1) (i) The State Superintendent shall review each plan or update
14 to determine whether the plan or update complies with the requirements of
15 subsections (b) through (e) of this section.

16 (ii) If the State Superintendent determines that a plan or
17 update does not comply with the requirements of subsections (b) through (e) of this
18 section, the State Superintendent may require specific revisions to the plan or update.

19 (2) (i) The State Superintendent may review the content of each
20 plan or update to assess whether the plan or update will have the effect of improving
21 student achievement and increasing progress toward meeting State performance
22 standards.

23 (ii) If the State Superintendent determines that a plan or
24 update will not have the effect of improving student achievement and increasing
25 progress toward meeting State performance standards, the State Superintendent may
26 require specific revisions to the plan or update.

27 (3) A county board may not implement a plan or update unless it has
28 been approved by the State Superintendent.

29 **(G) (1) A COUNTY BOARD MAY SUBMIT A PREEXISTING MANAGEMENT**
30 **PLAN TO THE DEPARTMENT AS THE COUNTY BOARD’S PLAN UNDER SUBSECTION**
31 **(B) OF THIS SECTION.**

32 **(2) IF THE STATE SUPERINTENDENT DETERMINES THAT THE**
33 **PREEXISTING MANAGEMENT PLAN MEETS THE REQUIREMENTS SET FORTH IN**
34 **THIS SECTION, THE STATE SUPERINTENDENT SHALL APPROVE THE**
35 **PREEXISTING MANAGEMENT PLAN AS THE COUNTY BOARD’S PLAN.**

1 (h) (1) The State Superintendent annually shall review how each county
2 board's current year approved budget and actual prior year budget align with the
3 master plan and any updates to the master plan. This review may be based on the
4 information required to be submitted by the county board under subsection (b)(5) of
5 this section and any other information required by the State Superintendent.

6 (2) The State Superintendent annually shall report the results of the
7 budget review by December 31 to the Governor, the county governing body, and,
8 subject to § 2-1246 of the State Government Article, the General Assembly.

9 (i) (1) If a school system fails to demonstrate progress toward improving
10 student achievement and meeting State performance standards in each segment of the
11 student population during a school year, the State Superintendent shall review the
12 content of the plan, any updates to the plan, and the results of the annual review
13 required under subsection (h)(1) of this section to assess whether the plan or update
14 will have the effect of improving student achievement and increasing progress toward
15 meeting State performance standards.

16 (2) If the State Superintendent determines that a plan or update will
17 not have the effect of improving student achievement and increasing progress toward
18 meeting State performance standards, the State Superintendent shall require specific
19 revisions to the plan or update.

20 (j) The State Superintendent shall advise the Governor and the General
21 Assembly concerning the distribution of State funds to a county that fails to make
22 progress toward improving student achievement and meeting State performance
23 standards in each segment of the student population.

24 (k) (1) The State Superintendent shall review academic intervention
25 programs and behavior modification programs to identify best practices.

26 (2) The State Superintendent shall periodically report on the best
27 practices to the State Board, the county boards, the Governor, and, subject to § 2-1246
28 of the State Government Article, the General Assembly.

29 (l) (1) Subject to paragraph (2) of this subsection, the Department shall
30 adopt regulations as necessary to implement this section.

31 (2) The Department shall consult with county superintendents and
32 county boards before promulgating proposed regulations to implement this section.

33 (m) The Department may provide technical assistance to county boards in
34 developing and implementing a plan.

35 (n) The Governor shall include an appropriation for the Department in the
36 State budget for each fiscal year in amount sufficient to cover the costs associated with
37 implementing this section.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2010.